

FILED  
JAMES BONINI  
CLERK

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

07 NOV 14 AM 11:45

TED MARCUM,	:	Case App No. _____
PETITIONER/APPELLANT,	:	Case Trl. No. <u>1:02-CV-00425</u>
vs.	:	<u>ON APPEAL TO THE UNITED STATES</u>
	:	<u>COURT OF APPEALS, SIXTH CIRCUIT</u>
	:	<u>FROM THE FINAL JUDGMENT OF THE</u>
OHIO ADULT PAROLE AUTHORITY,	:	<u>UNITED STATES DISTRICT COURT</u>
	:	<u>FOR THE SOUTHERN DISTRICT OF</u>
RESPONDENT/APPELLEE.	:	<u>OHIO, WESTERN DIVISION.</u>

NOTICE OF APPEAL

Now comes the Petitioner/Appellant, Ted Marcum, acting in propria persona, who respectfully submits this "Notice of Appeal" from the Final Order and Judgment of the United States District Court for the Southern District of Ohio, Western Division, rendered on the 2nd day of NOVEMBER, 2007, by the Honorable Judge Herman Weber.

Appellant states that the United States District Court GRANTED Appellant Application for a Certificate of Appealable. A copy of the District Court's Order is hereto attached.

Appellant further states that an Application for leave to appeal in forma pauperis, is on file with the District Court, containing a certified copy of the cashier's certificate statement verifying that the Appellant, Ted Marcum, is a pauperis person.

Very Respectfully Submitted,

Ted Marcum  
Ted Marcum, #549-841  
Ross Correctional Institution  
P.O. Box 7010  
Chillicothe, Ohio 45601

(2)

CERTIFICATE OF SERVICE

This is hereby to certify that a true copy of the forgoing Notice of Appeal has been served upon: (1) The Clerk of Court for The United States District Court, Southern District of Ohio, Western Division, 100 Fifth Street, Cincinnati, Ohio 45202; And (2) a true photo-copy of the Notice of Appeal has been served upon Mr. Stuart A. Cole, assistant Ohio Attorney General, c/o Corrections Litigation Section, 150 East Gay Street, 16th Fl., Columbus, Ohio 43215, on the 12<sup>TH</sup> day of NOVEMBER, 2007.

Ted Marcum  
Ted Marcum, propria persona  
Inmate No. 549-841  
Ross Correctional Institution  
P.O. Box 7010  
Chillicothe, Ohio 45601

AFFIDAVIT BY: APPELLANT, TED MARCUM

Affiant, Ted Marcum, does hereby declares, states, and says, under declaration of pains and penalty of perjury or falsification, that he "timely-delivered" his "Notice of Appeal" in the institutional mailbox for mailing To: (1) The Clerk of The United States District Court, 100 Fifth Street, Cincinnati, Ohio 45202; and To (2) Mr. Stuart A. Cole, Assistant Attorney General, c/o Corrections Litigation Section, 150 East Gay Street, Columbus, Ohio 43215, on the 12<sup>TH</sup> day of NOVEMBER, 2007, by: regular U.S. Mail, postage pre-affixed.

NOVEMBER 12<sup>TH</sup>, 2007  
EXECUTED ON (DATE)

Ted Marcum  
Ted Marcum, (Affiant) #549-841